

**Notice of Allowability**

Application No.

10/617,075

Applicant(s)

JOHNSON ET AL.

Examiner

Paul Huber

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 19 and 20 (renumbered as claims 1 and 2, respectively).
3. ☒ The drawings filed on 20 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

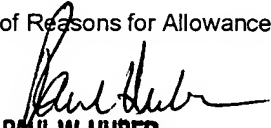
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 011604; 020204
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

  
**PAUL W. HUBER**  
PRIMARY EXAMINER

Art Unit: 2653

### EXAMINER'S AMENDMENT AND REASONS FOR ALLOWANCE

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Specification, the Preliminary Amendment to the specification, page 1, line 4, filed July 9, 2003, was deleted and replaced with the following amendment:

-- This application is a divisional of, and claims priority from, U.S. Patent Application Serial No. 09/412,841, filed October 5, 1999, now U.S. Patent No. 6,618,342, which claims benefit of Provisional Application Serial No. 60/103,001, filed October 5, 1998. --

In the Specification, page 4, line 9; "singl" was changed to -- single --.

The specification was amended in order to update the continuation data and to correct a minor typographical error.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jefferson et al. discloses a spectral hole burning data storage system and method.

The following is an examiner's statement of reasons for allowance: the prior art of record considered as a whole fails to teach or suggest an apparatus for storing and retrieving data from a storage material having an inhomogeneous absorption, comprising: a laser that produces a laser beam having a frequency that sweeps through a frequency range; a signal generator that generates a reference signal; a data source that provides a data signal; an acousto-optic modulator that receives the reference signal, the data signal, and the laser beam and generates a reference beam and a data beam, the data beam modulated with the data signal, wherein the data beam and the reference beam are co-propagating; a scanner that scans the data beam and the reference beam across the storage medium, so as to cause data to be stored in cells of the storage material; and a detector situated to receive the reference beam transmitted by a cell and a reconstructed data beam produced by the transmission of the reference beam through the cell, the detector producing a heterodyne signal from the reference and reconstructed data beams, wherein the heterodyne signal has a modulation corresponding to data retrieved from the storage material. (bold/underlined language emphasized)

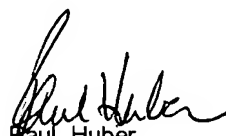
Art Unit: 2653

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Huber whose telephone number is 571-272-7588. The examiner can normally be reached on Compressed Schedule, every Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Paul Huber  
Primary Examiner  
Art Unit 2653

pwh  
May 31, 2005